

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

EMANUEL JONES,

Defendant-Appellant.

UNPUBLISHED
September 18, 2003

No. 239987
Wayne Circuit Court
LC No. 01-004132

Before: Whitbeck, C.J., and Gage and Zahra, JJ.

MEMORANDUM.

Defendant appeals as of right his bench trial convictions for felon in possession of a firearm (felon in possession), MCL 750.224f, and possession of a firearm during the commission of a felony (felony-firearm), MCL 750.227b. The trial court sentenced defendant to thirty days' to five years' imprisonment for the felon in possession conviction, consecutive to two years' imprisonment for the felony-firearm conviction. We affirm.

Defendant argues that there was insufficient evidence to support his convictions. Defendant did not need to take any special steps to preserve this issue for appeal. *People v Hawkins*, 245 Mich App 439, 457; 628 NW2d 105 (2001). In reviewing a claim of insufficient evidence, this Court must determine whether, taking the evidence in the light most favorable to the prosecution, a rational trier of fact could find the defendant guilty beyond a reasonable doubt. *People v Hardiman*, 466 Mich 417, 421; 646 NW2d 158 (2002). Circumstantial evidence and reasonable inferences that arise from the evidence can constitute sufficient proof of the elements of the crime. *People v Jolly*, 442 Mich 458, 466; 502 NW2d 177 (1993). The felon in possession statute provides, in pertinent part: "A person convicted of a specified felony shall not possess . . . a firearm in this state until all of the following circumstances exist . . ." MCL 750.224f(2). "The elements of felony-firearm are that the defendant possessed a firearm during the commission of, or the attempt to commit, a felony." *People v Avant*, 235 Mich App 499, 505; 597 NW2d 864 (1999).

Defendant does not contest his status as a felon, but argues that, other than his confession, there is no evidence that he possessed the firearms discovered by the police. Defendant argues that defendant's confession is flawed because he did not initial the statement that he possessed the guns for his protection. We disagree. The police found the guns in a bedroom of defendant's residence while executing a search warrant. When the police entered defendant's residence, they

saw defendant just outside the bedroom where the guns were found. During police questioning, defendant admitted that he possessed the firearms found in his residence. Contrary to defendant's contention, the officer testified that defendant initialed this statement. This Court must draw all reasonable inferences and make credibility choices in support of the verdict reached by the trier of fact. *People v Nowack*, 462 Mich 392, 400; 614 NW2d 78 (2000). The trial court believed the officer's testimony that defendant admitted possessing the firearms and initialed his statement to this effect. Therefore, we conclude that there was sufficient evidence that defendant possessed the firearms and that defendant's convictions for felon in possession and felony-firearm were proper.

Affirmed.

/s/ William C. Whitbeck
/s/ Hilda R. Gage
/s/ Brian K. Zahra